



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

March 13, 2019

Jessie Gomez
MuckRock News
MuckRock News, DEPT MR 67619
411A Highland Ave
Somerville, Massachusetts 02144
Via email: 67619-76443193@requests.muckrock.com

Dear Jessie Gomez:

This letter is in response to your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of January 29, 2019 (attached). Your request has been assigned #19-00397-FOIA. In our January 31, 2019 letter to you, we notified you that your request was too broad. On February 6, 2019, you attempted to narrow your request as follows:

- Outbreak reports of H1N1v pandemic from the start of the outbreak in 2009 until Dec 31, 2010. I would also like outbreaks reports of H1N1v that occurred from 2013 to present date.
- Any and all travel advisories issued in response to the H1N1v pandemic from the beginning of the outbreak in 2009 until Dec 31, 2010. I would also like travel advisories issued in response to H1N1V from 2013 to present date.

With respect to your request for H1N1 outbreak reports, your request is still too broad. CDC FOIA Analyst emailed you on March 11, 2019 asking you to call him to discuss, and he also provided CDC's public links for H1N1 reports. The outbreak part of your request is still too broad and we cannot begin a search until you have narrowed and clarified your request for H1N1 reports. We also need you to contact us regarding the online H1N1 reports sent to you on March 11, 2019.

If we do not hear from you by April 10, 2019 regarding your request for H1N1 outbreak reports, we will consider this part of your request withdrawn.

With respect to travel advisory reports regarding H1N1, we will send this forward to program to search for relevant records regarding the specified travel advisories.

To ensure the most equitable treatment possible of all requesters, the CDC processes requests on a first-in, first-out basis, using a multiple track system based upon the estimated time it will take to process a request. Based on your description of the records you are seeking, your request has been placed in the complex track. We will be unable to comply with the twenty-working-day time limit in this case, as well as the ten additional days provided by the statute because we expect that we will have to:

- ☒ Search for and collect records from field facilities, archives, or locations other than the office processing the request.
- ☒ Search for, collect, or examine a great many records in response to a single request.
- ☒ Consult with another office or agency that has substantial interest in the determination of the request.
- ☐ Conduct negotiations with submitters and requesters of information to determine the nature and extent of non-disclosable proprietary materials.

In an effort to process your request promptly, you may wish to narrow the scope of your request to limit the volume of potentially responsive records. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact our FOIA Public Liaison at 770-488-6277. Additionally, you may contact the Office of Government Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services; National Archives and Records Administration; 8601 Adelphi Road-OGIS; College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

The FOIA and HHS FOI regulations allow agencies to recover part of the costs of processing FOIA requests. There may be a charge for these records. You have been classified as a News Media Requester, and as such, you will be not be charged fees unless you elect to receive any responsive records in hard copy (10 cents/page).

The cut-off date for your request will be the date the search for responsive records is initiated by program staff.

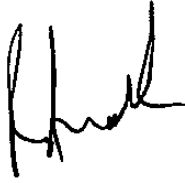
You may check on the status of your case by going to our FOIA webpage at www2a.cdc.gov/od/foiastatus and entering this number. If you have any questions regarding your request, please contact Mark Harper at 770-488-8154.

We reasonably anticipate that you should receive documents by September 9, 2019. Please know that this date roughly estimates how long it will take the agency to close requests ahead of your request in the queue and complete work on your request. The actual date of completion might be before or after this estimated date.

If you are not satisfied with the response to this request, you may administratively appeal by writing to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue, Suite 729H, Washington, D.C. 20201. Please mark both your appeal letter and envelope "FOIA Appeal."

Your appeal must be postmarked or electronically transmitted by June 11, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Andoh', with a stylized, cursive script.

Roger Andoh
CDC/ATSDR FOIA Officer
Office of the Chief Operating Officer
(770) 488-6399
Fax: (404) 235-1852

19-00397-FOIA